

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,

Plaintiff,

v.

GOVERNOR OF THE STATE OF
CALIFORNIA, *et al.*,

Defendants.

Case No. 2:23-cv-00468-JDP (PC)

ORDER

On March 17, 2023, I ordered plaintiff to submit within thirty days either the \$402 filing fee or a complete application for leave to proceed *in forma pauperis*. ECF No. 3. To date, plaintiff has not complied with that order.

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissal of a case, for failure to comply with court orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 Plaintiff will be given a chance to explain why the court should not dismiss his case based
2 on his failure to either pay the filing fee or submit a complete application for leave to proceed *in*
3 *forma pauperis*. Plaintiff's failure to respond to this order will constitute another failure to
4 comply with a court order and will result in a recommendation that this action be dismissed.
5 Accordingly, plaintiff is ordered to show cause within twenty-one days why this case should not
6 be dismissed for failure to pay the filing fee, failure to prosecute, and failure to comply with court
7 orders. Should plaintiff wish to continue with this action, he must, within twenty-one days, either
8 pay the \$402 filing fee or submit a complete application for leave to proceed *in forma pauperis*.
9 The Clerk of Court is directed to send to plaintiff the court's form application for leave to proceed
10 *in forma pauperis*.

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12 IT IS SO ORDERED.

13 Dated: May 15, 2023

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15 JEREMY D. PETERSON
16 UNITED STATES MAGISTRATE JUDGE
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